

IFW

Practitioner's Docket No. NAI1P308/00.031.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CENTRAL FAX CENTER

In re application of: Jonathan Edwards

SEP 16 2005

Application No.: 09/626,701

Group No.: 2131

Filed: 07/27/2000

Examiner: Revak, C.

For: METHOD AND SYSTEM FOR LIMITING PROCESSOR UTILIZATION BY A VIRUS SCANNER

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
SEP 21 2005
OFFICE OF PETITIONS

PETITION TO REVIVE PATENT APPLICATION—FAILURE TO PAY ISSUE
FEE UNINTENTIONAL (37 C.F.R. §§ 1.137(b) AND 1.316)

1. Applicant hereby petitions for the revival of this application.
2. Nature of the Abandonment

In the communication from the PTO mailed August 26, 2005, it was noted that this application is abandoned for failure to pay the issue fee within the 3 month period from the date of the notice of allowance required by 37 C.F.R. § 1.316. Such notice of allowance was never received.

3. Date of Filing of This Petition After Abandonment

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
with sufficient postage as first class mail.

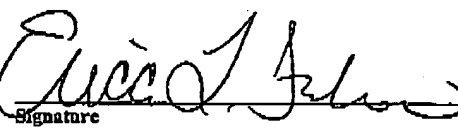
37 C.F.R. § 1.10*
as "Express Mail Post Office to Addressee"
Mailing Label No. (mandatory)

TRANSMISSION

✓ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date:

9/16/05



Signature

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing ("1.6") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8" continues to be taken into account in determining timeliness. See "1.703(f)". Consider "Express Mail Post Office to Addressee" ("1.10") or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

This petition is being filed within 3 months after the applicant was first notified of abandonment.

4. The delay in payment of the issue fee was unintentional. The entire delay from the due date in paying the required issue fees until the filing of this petition was unintentional. 37 C.F.R. § 1.137(b)(3).
5. Payment of the issue fee (37 C.F.R. § 1.137(b)(1):

Payment of the issue fee is enclosed.

Regular Patent Issue Fee	\$1,400.00
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6. Petition fee (35 U.S.C. § 41(a)(7) and 37 C.F.R. § 1.17(m))

Application status is:

Other than small entity--fee	\$1,500.00
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Petition Fee	\$1,500.00
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Total issue and petition fee to be paid	\$2,900.00
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7. Payment of total fee:

Authorization is hereby made to charge the amount of \$2,900.00 to Deposit Account No. 50-1351 (Order No. NAI1P308).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

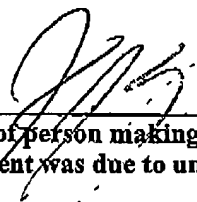
A duplicate of this petition is attached.

8. Terminal Disclaimer

This utility/plant application was filed on or after June 8, 1995 and no terminal disclaimer is required.


Date: _____

9/16/05


Signature of person making statement that
abandonment was due to unintentional delay

Kevin J. Zilka
P.O. Box 721120
San Jose, CA 95172-1120 USA

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875


Signature of Practitioner
Kevin J. Zilka
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USA

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OFFICE OF PETITIONS

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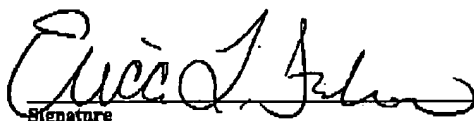
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Mailing Label No. _____ (mandatory)

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Date: 9/16/05
SignatureErica L. Farlow
(type or print name of person certifying)

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Petition to Revive Patent Application—Failure to Pay Issue Fee Unintentional—page 1 of 3

This petition is being filed within 3 months after the applicant was first notified of abandonment.

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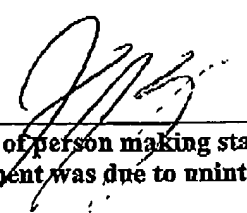
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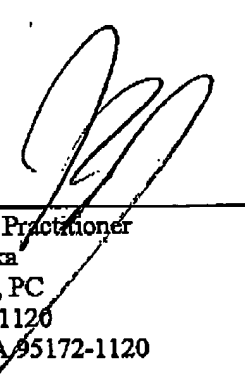
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